

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
DIVISION**

NOAH HANCOCK SIMMONS II )

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)

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)

(Enter above the full name of the Plaintiff[s]  
in this action.) )

- vs - )

HARLEQUIN BOOKS, Ca )

)

tahra seplowin )

)

TAHRA SEFLOWIN )

)

)

)

)

(Enter above the full name of ALL Defend- )  
ant[s] in this action. Fed. R. Civ. P. 10(a) )  
requires that the caption of the complaint )  
include the names of all the parties. Merely )  
listing one party and "et al." is insufficient. )  
Please attach additional sheets if necessary. )

Case No. \_\_\_\_\_  
(To be assigned by Clerk  
of District Court)

*Jury Trial Demanded*

**COMPLAINT**

- I. State the grounds for filing this case in Federal Court (include federal statutes and/or U.S. Constitutional provisions, if you know them):

Conversion and Trover of intellectual properties; breach of an  
oral contract; abuse of process. IN REFERENCE TO, CONVERSION

§ 222A. What constitute conversion(1)(2) ((a) the extent and

duration of the actor's exercise of dominion or control

II. Plaintiff, NOAH HANCOCK SIMMONS II, PRO SE resides at

310 S. Grand Council Towers St. Louis St. Louis  
street address city county

310 S. Grand 63103 9179304531  
state zip code telephone number

Apt 310

(if more than one plaintiff, provide the same information for each plaintiff below)

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III. Defendant, tahra seplowin lives at, or its business is located at

233 BROADWAY N.Y.N.Y NEW YORK  
street address city county

NEW YORK 1001  
state zip code

(if more than one defendant, provide the same information for each defendant below)

HARLEQUIN BOOKS Ca.

233BROADWAY, NEW YORK, NEW YORK Zip Code 1001

PHONE #: (212) 5534200

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IV. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. You may use additional paper if necessary):

~~\_\_\_\_\_ plaintiff avers that his sister Frances Myers had on~~  
~~12/22/'14 three (3) manuscripts delivered to HARLEQUIN~~  
~~BOOKS. Subsequently defendant/employee TAHRA SEPLOWIN~~  
~~acknowledged such manuscripts via telephone conversation~~  
~~thereafter 4:14P.M.. IN ADDITION, Plaintiff avers that~~  
~~thereon three (3) g-mails so-noted receipt, and status of~~  
~~such manuscripts SEE: EXHIBIT A (1)(2)(3). However, here~~  
~~\_\_\_\_\_ plaintiff avers the tort[s] CONVERSION & TROVER had~~  
~~\_\_\_\_\_ evilly ensued. SEE: Restatement Second, z222A. Where,~~  
~~\_\_\_\_\_ all legal prerequisites were/are violated, including but~~  
~~limited to(B) Effect of Good Faith thereupon the said~~  
~~\_\_\_\_\_ INTELLECTUAL PROPERTIES. Moreover, Plaintiff avers that the~~  
~~mandated DEMAND was ignored-refused. See Gillet v. Roberts~~  
~~(1874) 57 N.Y. 28; Parker v. Middlebrook (1855) @ \$ Conn. 207~~  
~~\_\_\_\_\_ accordingly, plaintiff avers that EDITOR/AGENT: Mike Williams~~  
~~\_\_\_\_\_ had expressed interest, and representation of Plaintiff in~~  
~~\_\_\_\_\_ the detained-by-defendants manuscripts. But was afraid of~~  
~~\_\_\_\_\_ the perilous, if not lethal limbo the manuscripts had in lay~~  
~~\_\_\_\_\_ in the impermissible now province, and detention of defendants.~~

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI X

NOAH HANCOCK SIMMONS II  
PRO SE Plaintiff,

Vs.

ADDITIONAL PAGE[S] THEREFROM PG.  
( THREE)[3]

HARLEQUIN BOOKS Ca.;  
TAHRA SEPLOWIN

]a]

CASE NO. \_\_\_\_\_

DEFENDANTS \_\_\_\_\_ X

ADDITIONAL PAGE[S] THEREFROM PAGE THREE

INTERESTINGLY, Plaintiff avers that thereunder the Restatement of Torts, in § 332, discarded the term "invitees," and referred instead to "business visitors". The theory adopted was that the duty to/ of affirmative care to make the premises safe is the price the occupier must pay for the present or prospective economic benefit to be derived from the visitor's presence. In accord, Plaintiff avers that here the tort[s] CONVERSION & TROVER had maliciously occurred therewith malice and forethought through the provisions which § 222A states constitutes conversion (1)(2) (a)(b)(c)(d)(e)(f). Insidiously intermingled therewith the Defendant TAHARA SEPLOWIN's bizarre elusiveness, insofar as the demand, and denial of return!

WHEREUPON, trover in common-law practice, the action of trover is applicable here.. This action became the remedy for any wrongful interference with or detention of the goods of another. 3 Steph.Comm. 425. Sweet. See Burnham v. Pidcock, 33 Misc. 65, 66 N.Y.S. 806; Spellman v. Richmond & D.R. Co., 35 S.C. 475, 14 S.E. 947, 28 Am.St.Rep. 858; Daisey-Belle Petroleum Co. v. Thomas, 151 Okl. 94, 1 P.2d 700, 702.

In form a fiction; in substance a remedy to recover the value [e] of personal chattels WRONGFULLY converted by another for his own use. 1 Burr, 31; Athens & Pomeroy Coal & Land Co. v. Tracy, 22 Ohio App. 21, 153 N.E. 240, 243;

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

NOAH HANCOCK SIMMONS II  
PRO SE Plaintiff,

Vs.

ADDITIONAL PAGES THEREFROM PG. 3

HARLEQUIN BOOKS Ca.;  
TAHRA SEPLOWIN

X

CASE NO. [b]

Siverson v. Clanton, 88 Or. 261, 170 P. 933, 935. See conversion  
A possessory action wherein plaintiff must show that he has either a general or special property in thing converted and the right to its possession at the time of the alleged conversion. Patton v. Dennison, 137 Me. 14A.2d 12. And lies only for wrongful appropriation of goods, chattels, or personal property which is specific enough to be identified. Olschewski v. Hudson, 87 Cal. App. 282, 262, P. 43, 46.

finally, plaintiff avers that he is a sixty-seven [67] year old man paralyzed on the left side of his body. HENCE [a] profound need, beseechment therefore counsel, in lieu of the unspoken command for a writ of detinue- utilizing the proprietary remedy of replevin- A personal action EX DELICTO brought to recover goods unlawfully taken, generally, but not only, applicable to the taking of goods distrained for rent,) THE VALIDITY OF WHICH TAKING IT IS THE MODE OF CONTESTING, IF THE PARTY FROM WHOM THE GOODS WERE TAKEN WISHES TO HAVE THEM BACK IN SPECIE, whereas, if he prefer to have damages instead, validity may be contested by action of trespass or unlawful distress. Wharton v. Sinnot v. Feiock, 165 N.Y. 444, 59 N.E. 2d 565, 80 Am. St. Rep. 736; Healy v. Humphery, 81 F. 990, 27 C.C.A. 39. ERGO, REPLEVIN IN THE DETINUE is tentively sought since the action for damages resulting therefrom the wrongful taking and detention has not yet been returned. LASTLY, hereunder such it is sublimely suggested that " the Defendant[s] have bought the property thereby thier illegal detention!" THUS, Plaintiff should not accept such thereat this juncture of distressful events.

V. Relief: State briefly and exactly what you want the Court to do for you.

duly appoint counsel hereto disabled Plaintiff/Petitioner;

therefore submission of writ: replevin in the detinet.

restraining order prohibiting HARLIQUIN, it's companies

from exploiting/robbing the elderly and inform of the

unique, hard manufactured intellectual properties they

had delved to produce

FINALLY, that aspect of PUNATIVE order be animated by

a fifty million dollar (\$ 50,000,000.00) AWARD

VI. MONEY DAMAGES:

- A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES [x]

NO [ ]

- B) If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

Award ten [10] million dollars for detention of each

manuscript which was deferred because of detention by

defendants

- VII. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES [x]

NO [ ]

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 4 day of May, 2015

Wade Simmons

Signature of Plaintiff(s)